

IN THE CLAIMS:

Please **CANCEL** claim 34 without prejudice or disclaimer in accordance with the following:

1. (PREVIOUSLY PRESENTED) An optical information storage medium comprising:
a lead-in area;
a lead-out area; and
a user data area formed between the lead-in and lead-out areas and in which user data is recorded,
wherein

a first track pitch between adjacent tracks in a portion of the lead-in area is different from a second track pitch between adjacent tracks in the remaining portion of the lead-in area.

2. (ORIGINAL) The optical information storage medium of claim 1, wherein the first track pitch is greater than the second track pitch.

3. (PREVIOUSLY PRESENTED) The optical information storage medium of claim 2, wherein the lead-in area comprises a first subarea in which optical information storage medium-related information is recorded.

4. (ORIGINAL) The optical information storage medium of claim 3, wherein a ratio of tracking error signals detected in the at least one of the first and second subareas having the first track pitch to tracking error signals detected in areas having the second track pitch is 1.5 or more.

5. (ORIGINAL) The optical information storage medium of claim 4, wherein a ratio of differential phase tracking error signals detected in the at least one of the first and second subareas having the first track pitch to differential phase tracking error signals detected in the areas having the second track pitch is 1.5 or more.

6. (ORIGINAL) The optical information storage medium of claim 1, wherein the lead-in area comprises a first subarea in which optical information storage medium-related information is recorded and a second subarea in which copy protection information is recorded,

wherein a track pitch in at least one of the first and second subareas is the first track pitch which is greater than the second track pitch.

7. (ORIGINAL) The optical information storage medium of claim 6, wherein a ratio of tracking error signals detected in the at least one of the first and second subareas having the first track pitch to tracking error signals detected in the areas having the second track pitch is 1.5 or more.

8. (ORIGINAL) The optical information storage medium of claim 7, wherein a ratio of differential phase tracking error signals detected in the at least one of the first and second subareas having the first track pitch to differential phase tracking error signals detected in the areas having the second track pitch is 1.5 or more.

9. (ORIGINAL) The optical information storage medium of claim 1, wherein the optical information storage medium has more than one recording surface.

10 – 20. (CANCELED)

21. (PREVIOUSLY PRESENTED) An apparatus to optically transfer data with respect to an optical information storage medium that comprises a lead-in area, a lead-out area and a user data area, the apparatus comprising:

an optical unit to read first data from first tracks in a first area of the lead-in area, and to read second data from second tracks in the remaining area of the lead-in area; and

a controller to control the optical unit to read data from the user data area,

wherein:

adjacent pairs of the first tracks have a first pitch,

adjacent pairs of the second tracks have a second pitch other than the first pitch.

22 – 24. (CANCELED)

25. (ORIGINAL) The apparatus of claim 21, wherein the first data comprises information used by the controller in reproduction of the second data.

26. (ORIGINAL) The apparatus of claim 21, wherein:
the controller uses a differential signal to perform tracking when transferring the first and/or second data with respect to the optical information storage medium,
a first differential signal detected from the first data recorded in the first tracks is other than a second differential signal detected from the second data recorded in the second tracks.

27 – 31. (CANCELED)

32. (PREVIOUSLY PRESENTED) The apparatus of claim 21, wherein the lead-in area comprises a first subarea in which optical information storage medium-related information is recorded.

33. (PREVIOUSLY PRESENTED) The apparatus of claim 32, wherein the disk related information comprises at least one information about the type of information storage medium, information about the number of recording layers, information about a recording speed, and information about the disk size.

34. (CANCELED)